

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Sutcliffe, Gregor J., et al.	)	
		)	
Division of		)	Prior Art Unit: 1653
Serial No.	09/230,896	)	
		)	
Filed:	December 12, 2000	)	Prior Examiner: Stephen Tu
	(By Express Mail)	)	
		)	
For:	HYPOTHALAMUS-SPECIFIC	)	Atty. Docket No. TSRI 548.1 DIV. 1
	POLYPEPTIDES	)	
		)	

PRELIMINARY AMENDMENT

Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Prior to examination, please enter the following amendments to the application.

IN THE REFERENCE TO RELATED APPLICATION

Please rewrite the Reference to Related Application as follows:

--This application is a divisional application of U.S. Serial No. 09/230,896, filed February 2, 1999 as the national entry of International Application No. PCT/US97/13657 filed August 1, 1997 claiming the benefit of provisional application Serial No. 60/023,220 filed August 2, 1996. --

IN THE SPECIFICATION

At page 3, line 2, delete "NO:3" and substitute therefor -- NO:4 --.

At page 4, line 17, between "nucleotide sequence" and "on the second line", please insert -- (SEQ ID NO. 14) --.

At page 4, line 17, between "mouse nucleotide sequence" and "is", please insert -- (SEQ ID NO. 15) --.

At page 12, line 28, delete "(FIG. 5)" and substitute therefor -- (second line in FIG. 5 and SEQ ID. 14) --.

At page 48, line 1, between "FIG. 5" and the sentence full stop "." please insert -- and SEQ ID NO. 14 --.

At page 50, line 21 and continuing on line 22, delete "(FIG. 5)" and substitute therefor -- (FIG. 5 and see SEQ ID NO. 14) --.

At page 50, line 29, delete "(FIG. 5)" and substitute therefor -- (FIG. 5 and see SEQ ID NO. 15) --.

Please add SEQ. ID. NOs. 14 and 15 to the Sequence Listing, a paper copy and computer readable form of which are concurrently filed herewith together with an accompanying Statement under 37 C.F.R. 1.825(f).

#### IN THE CLAIMS

Please cancel claims 1-7, 16-29, and 36-59, without prejudice prior to fee calculation, and add the following new claims 60-62:

--60. An isolated polypeptide comprising an amino acid sequence selected from the group consisting of: SEQ ID NO:1, SEQ ID NO:2, SEQ ID NO:8, and SEQ ID NO:10.

61. An isolated polypeptide comprising the amino acid sequence of SEQ ID NO:10.

62. An isolated polypeptide comprising the amino acid sequence of SEQ ID NO:8.--

#### REMARKS

Claims 8-15, 30-35 and 60-62 are pending in the case. Claims 8-15 and 30-35 constitute the subject matter of the non-elected claims of the Examiner's Group II (identified as claims 8-15 and 30-35 drawn to a polypeptide in the Examiner's Restriction Requirement of September 21, 2000). Applicants believe that the subject matter of newly added claims 60-62 directed to polypeptides are also properly included in Group II.

This preliminary amendment is filed concurrently with a Request By Applicants For Declaration Of Interference Pursuant To Rule 607.

A typing mistake has been corrected on page 3 of the Applicants' specification, and SEQ ID NOs. 14 and 15 have been added to clarify the Applicants' specification. Support for SEQ ID NOs. 14 and 15 is found in the Applicants' specification, for example, in FIG. 5 wherein the second and third lines list the nucleotide sequence of SEQ ID NOs. 14 and 15, respectively; the description of FIG. 5 on page 4, lines 14-22; and in the Markush group of claims 2 and 3 of the parent application (S/N 09/230,896) at page 88, lines 10-13.

Accordingly, amending the specification to include SEQ ID NOs. 14 and 15 does not add new matter to the specification.

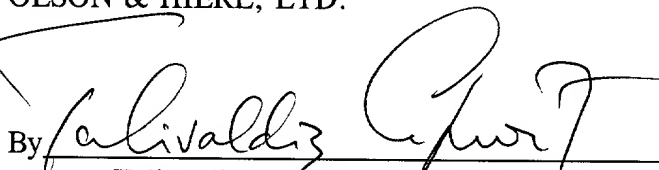
The Applicants would like to draw notice to two minor formatting corrections made directly to pages 87 and 88 to clarify the Sequence Section of the Applicants' specification. The numeric label "20" in SEQ ID NO: 9 was moved to coincide with the text label "His" on page 87 (see line 4). The left margin on page 88 was adjusted to bring SEQ ID NO:13 in alignment with the rest of the page. If the Examiner is of the view that the formatting corrections made to the SEQ ID NOS: 9 and 13 should be treated as amendments, then the Applicants will submit a formal amendment to effect the two formatting changes. The Applicants submit that the formatting changes do not add new matter to the specification.

Support for new claim 60 is found in the Applicants' specification, for example, in SEQ ID NO:1 found on page 80 and continuing to page 81, SEQ ID NO:2 found on page 81 continuing to page 82, SEQ ID NO:8 found on page 85 continuing to page 86, and SEQ ID NO:10 found on page 86 continuing to page 87. Support for new claim 61 is found in the Applicants' specification, for example, in SEQ ID NO:10 found on page 86 continuing to page 87. Support for new claim 62 is found in the Applicants' specification, for example, in SEQ ID NO:8 found on page 85 continuing to page 86. Accordingly, no new matter has been added to the Applicants' patent application.

The present Preliminary Amendment has canceled nine independent claims and 36 dependent claims, while three independent claims have been added. Accordingly, no extra total claims fee is deemed due.

Respectfully submitted,

OLSON & HIERL, LTD.

By   
Talivaldis Cepuritis (Reg. No. 20,818)

OLSON & HIERL, LTD.  
20 North Wacker Drive  
36th Floor  
Chicago, Illinois 60606  
(312) 580-1180